

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office FEB 20 1997
 Returned to applicant for correction _____
 Corrected application filed _____
 Map filed AUG 28 1990 under 55021

The applicant **Frehner Construction Co. Inc.**, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is Drilled well - Imlay Hydrographic area, Pershing County Nevada
2. The amount of water applied for is .45 CFS second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for Commercial (Sand & Gravel) Operation
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec 8 T32N Range 34 East MDM, Pershing County Nevada or at a Point from which the SE corner of Sec 8 bears S. 83 degrees 32' 4"E. at a distance of 898.84 feet
6. Place of Use within the S $\frac{1}{2}$ and a portion of the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Sec 8 T32N R34E MDM Pershing County Nevada
7. Use will begin about Jan 1 and end about Dec 31, of each year.
8. Description of proposed works drilled well with pump & motor
9. Estimated cost of works 50,000
10. Estimated time required to construct works completed
11. Estimated time required to complete the application of water to beneficial use N/A
12. Remarks: This same application was granted under 56735 which expires May 29, 97. This application is to renew or reapply for another 5 year extension.

By s/Jim Mathews
 124 W. Brooks Ave.
 N. LV, NV 89030

Compared my/bk cl/cms

Protested 4/3/97 by Pershing County Water Conservation District: WDN May 14, 1997

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance issued under the provisions of NRS 533.371 for a finite period of time. This permit will expire on June 17, 2002 and all rights herein will revert back to the source. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permit 55021 Certificate 13626 and Permit 62866 shall not exceed 92.0 acre-feet annually.

This permit is issued solely for the commercial use related to the sand and gravel operation and the owner's construction activities. Any other commercial uses contemplated by this owner or a new owner must be approved in writing by the State Engineer.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.
(CONTINUED ON PAGE 2)

(PERMIT TERMS CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.45 cubic feet per second, but not to exceed 92.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed before:

N/A

Application of water to beneficial use shall be filed on or before:

June 17, 2002

Proof of the application of water to beneficial use shall be filed on or before:

Permit Expires

June 17, 2002

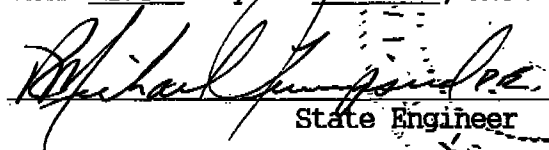
Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 17th day of June, A.D. 1997


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

EXPIRED
DATE JUL 17 2002

